IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 1116 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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MUSTAW @ KANIO AHMEDBHAI SHAIKH - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
MR AZIZ AN ALVI for Applicant(s) : 1,
MR RC KODEKAR, ADDL. PUBLIC PROSECUTOR for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 22/06/2007

ORAL JUDGMENT

This application is called out twice, learned advocate appearing on behalf of the petitioner is absent on both the occasions. Under the circumstances, this petition is heard ex parte.

By way of this petition, the petitioner, convict has prayed for an appropriate order to release him on furlough and has also further prayed to quash and set aside the order passed by the authority dated 21-4-2007 by which his application for releasing him on furlough has been rejected.

Considering the fact that earlier the petitioner is involved in a case trying to be out of the jail by producing forged parole order, the petitioner cannot be released on furlough. Considering the above, if the authority has rejected his application, it cannot be said that the authority has committed any illegality. Hence, there is no substance in the present petition and the same are accordingly dismissed.

(M.R. Shah, J.)

shekhar/-